IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

FRIDAY, THE 7TH DECEMBER, 2007 / 16TH AGRAHAYANA, 1929

WP(Crl.).No. 282 of 2007(S)

PETITIONER:

BIJUKUMAR, S/O. JANARDHANAN NAIR,
AGED 32, CHARUVILA PUTHEN VEEDU, AARAMPUNNA,
ELAMPAL P.O., PUNALUR.

BY ADV. SRI.S.RAJKUMAR
SMT.A.M.ROJA

RESPONDENTS:
---

1. SUB INSPECTOR OF POLICE,
PUNALUR POLICE STATION, PUNALUR, KOLLAM DISTRICT.

2. CIRCLE INSPECTOR OF POLICE,
PUNALUR POLICE STATION, PUNALUR, KOLLAM DISTRICT.

3. AJI KUMAR, S/O. RAVEENDRAN ACHARI,
AGED 28, VENU BHAVANAM, AARAMPUNNA PATHEKKAR,
ELAMPAL P.O., PUNALUR.

4. BASHA, S/O. NADEERA BEEVI @ BEENA,
AGED 27, ANARKALI MANZIL, AARAMPUNNA,
ELAMPAL P.O., PUNALUR.

5. NADEERA BEEVI @ BEENA, AGED 45,
ANARKALI MANZIL, AARAPUNNA, ELAMPAL P.O.,PUNALUR.

BY ADV. SRI.R.SURAJ KUMAR

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 07/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

(WP(CRL) No. 282 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of petition dtd.17.11.2007 submitted by the petitioner before the first respondent.

Ext.P2: Copy of petition dtd.19.11.2007 submitted by the petitioner before the Superintendent of Police.

Ext.P3: Copy of the petition dtd.27.11.2007 sent by the petitioner to the Director General of Police, Thiruvananthapuram.

-True Copy-

P.A.to Judge.

P.R.RAMAN & V.K.MOHANAN, JJ.

W.P(Crl.) No. 282 of 2007

Dated this the 7th day of December, 2007

J U D G M E N T

Raman,J:

The petitioner alleges that his wife, Smt. Rejitha and child, Devi Theertha are under illegal custody of party respondents. Therefore, he seeks for issuance of a writ of habeas corpus to produce the alleged detenues, his wife and child and to release them. Notice was issued to the respondents and the detenues appeared before us. We interacted with the alleged detenue, the wife of the petitioner. She submits that she is the wife of the petitioner, but her relationship with the petitioner is strained and she has gone of her own will with the party respondents and she is not under illegal custody of the party respondents as alleged. These submissions are recorded.

However, these proceedings will not stand in the way of the petitioner in approaching the Family Court, if so advised.

The writ petition is closed.

P.R.RAMAN,
Judge

V.K.MOHANAN,
Judge

Mbs/

V.K.MOHANAN, J.

O.P.NO. OF 2001

J U D G M E N T

DATED: -0-2007